

Nathan J. Arnold, WSBA No. 45356  
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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**

Firefighters MICHAEL BACON,	)	
ANDREA KERNKAMP, JOE	)	<b>CASE NO. 2:21-cv-00296</b>
HOWARTH, BRENNAN COOKE,	)	
TIM WHEELER, TOM HARVEY,	)	<b>DECLARATION OF</b>
JOEL BROSE, TANNER	)	<b>NATHAN J. ARNOLD</b>
TOWNSEND, CURTIS SMITH,	)	
ISAIAH DEAN, NICHOLAS	)	
HOLMES, MATTHEW NORTON,	)	
JHAR FULLER, STEVEN HOWIE,	)	
JEFFREY BAXTER, ARIC PISA,	)	
DUANE WILCOX, DAVID HEIZER,	)	
JAMES BILLMAN, MARLIN	)	
THORMAN, JASON WEBSTER,	)	
TIMOTHY ARCHER, COREY	)	
BARKER, SCOTT MCCANN, and	)	
CONNOR FOXWORTH,	)	
	)	
Plaintiffs,	)	
v.	)	
	)	
NADINE WOODWARD, the Mayor of	)	
the City of Spokane, Fire Chief BRIAN	)	
SCHAEFFER, the CITY OF	)	
SPOKANE.	)	
	)	
Defendants.	)	

1 Nathan J. Arnold declares under penalty of perjury.

- 2 1. I am counsel of record in the above captioned matter, a member of the WSBA  
3 in good standing, and provide this declaration to submit materials relevant to  
4 this matter, some of which have been submitted under oath in related matters.  
5  
6 2. Attached as Exhibit 1 is a true and correct copy of The Declaration of Nathan  
7 J. Arnold in Support of Plaintiffs' Emergency Motion to Hear on Shortened  
8 Time Plaintiffs' Motion for Summary Judgment, filed in the Walla Walla  
9 County Superior Court, Case No. 21-2-00411-36.  
10  
11 3. Attached as Exhibit 2 is a true and correct copy of The Declaration of Anna  
12 Moleva in Support of Plaintiffs' Motion for Injunction or Writ of Prohibition,  
13 filed in the Walla Walla County Superior Court, Case No. 21-2-00411-36.  
14  
15 4. Attached as Exhibit 3 is a true and correct copy of The Declaration of Danielle  
16 Oyen in Support of Plaintiffs' Motion for Injunction or Writ of Prohibition,  
17 filed in the Walla Walla County Superior Court, Case No. 21-2-00411-36.  
18  
19 5. Attached as Exhibit 4 is a true and correct copy of The Declaration of Dustin  
20 Stephan in Support of Plaintiffs' Motion for Injunction or Writ of Prohibition,  
21 filed in the Walla Walla County Superior Court, Case No. 21-2-00411-36.  
22  
23 6. Attached as Exhibit 5 is a true and correct copy of The Declaration of Elizabeth  
24 Bain in Support of Plaintiffs' Motion for Injunction or Writ of Prohibition,  
25 filed in the Walla Walla County Superior Court, Case No. 21-2-00411-36.

- 1 7. Attached as Exhibit 6 is a true and correct copy of The Declaration of Faye  
2 Taitano Cueto in Support of Plaintiffs' Motion for Injunction or Writ of  
3 Prohibition, filed in the Walla Walla Superior Court, Case No. 21-2-00411-36.  
4
- 5 8. Attached as Exhibit 7 is a true and correct copy of The Declaration of Joshua  
6 Jackson in Support of Plaintiffs' Motion for Injunction or Writ of Prohibition,  
7 filed in the Walla Walla County Superior Court, Case No. 21-2-00411-36.  
8
- 9 9. Attached as Exhibit 8 is a true and correct copy of The Declaration of Lynette  
10 King in Support of Plaintiffs' Motion for Injunction or Writ of Prohibition,  
11 filed in the Walla Walla County Superior Court, Case No. 21-2-00411-36.  
12
- 13 10. Attached as Exhibit 9 is a true and correct copy of The Declaration of Mark  
14 Anderson in Support of Plaintiffs' Motion for Injunction or Writ of  
15 Prohibition, filed in the Walla Walla County Superior Court, Case No. 21-2-  
16 00411-36.  
17
- 18 11. Attached as Exhibit 10 is a true and correct copy of The Declaration of Nathan  
19 J. Arnold in Support of Plaintiffs' Motion for Injunction or Writ of Prohibition,  
20 filed in the Walla Walla County Superior Court, Case No. 21-2-00411-36.  
21
- 22 12. Attached as Exhibit 11 is a true and correct copy of The Declaration of  
23 Stephanie Adams in Support of Plaintiffs' Motion for Injunction or Writ of  
24 Prohibition, filed in the Walla Walla County Superior Court, Case No. 21-2-  
25 00411-36.

1 13. Attached as Exhibit 12 is a true and correct copy of The Declaration of  
2 Stephen F. Austin in Support of Plaintiffs' Motion for Injunction or Writ of  
3 Prohibition, filed in the Walla Walla County Superior Court, Case No. 21-2-  
4 00411-36.

6 14. Attached as Exhibit 13 is a true and correct copy of The Declaration of Beth  
7 Lindenman in Support of Plaintiffs' Motion for Injunction or Writ of  
8 Prohibition, filed in the Walla Walla County Superior Court, Case No. 21-2-  
9 00411-36.

11 15. Attached as Exhibit 14 is a true and correct copy of The Declaration of Steven  
12 Collins in Support of Plaintiffs' Motion for Injunction or Writ of Prohibition,  
13 filed in the Walla Walla County Superior Court, Case No. 21-2-00411-36.

15 16. Attached as Exhibit 15 is a true and correct copy of The Declaration of Ernest  
16 David Newton in Support of Opposition to Change of Venue, filed in the Walla  
17 Walla County Superior Court, Case No. 21-2-00411-36.

19 17. Attached as Exhibit 16 is a true and correct copy of The Declaration of Travis  
20 Wade Jerald in Support of Opposition to Change of Venue, filed in the Walla  
21 Walla County Superior Court, Case No. 21-2-00411-36.

23 18. Attached as Exhibit 17 is a true and correct copy of The Declaration of  
24 Jennifer Judie Turner in Support of Opposition to Change of Venue, filed in  
25 the Walla Walla County Superior Court, Case No. 21-2-00411-36.

1 19. Attached as Exhibit 18 is a true and correct copy of The Declaration of Carissa  
2 Sweet in Support of Opposition to Change of Venue, filed in the Walla Walla  
3 County Superior Court, Case No. 21-2-00411-36.

4 20. Attached as Exhibit 19 is a true and correct copy of The Declaration of Donald  
5 Weaver in Support of Opposition to Change of Venue, filed in the Walla Walla  
6 County Superior Court, Case No. 21-2-00411-36.

7 21. Attached as Exhibit 20 is a true and correct copy of The Declaration of  
8 Vanessa Lynn Shultz in Support of Opposition to Change of Venue, filed in  
9 the Walla Walla County Superior Court, Case No. 21-2-00411-36.

10 22. Attached as Exhibit 21 is a true and correct copy of The Third Declaration of  
11 Nathan J. Arnold, filed in the Walla Walla County Superior Court, Case No.  
12 21-2-00411-36.

13 23. Attached as Exhibit 22 is a true and correct copy of The Declaration of Dr.  
14 Braden Andersen, filed in the Walla Walla County Superior Court, Case No.  
15 21-2-00411-36.

16 24. Attached as Exhibit 23 is a true and correct copy of The Declaration of Dr.  
17 Peter Himmel, filed in the Walla Walla County Superior Court, Case No. 21-  
18 2-00411-36.

19 25. Attached as Exhibit 24 is a true and correct copy of The Declaration of Charles  
20 Paul LeBlanc in Support of Opposition to Change of Venue, filed in the Walla  
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- 1 Walla County Superior Court, Case No. 21-2-00411-36.
- 2 26. Attached as Exhibit 25 is a true and correct copy of The Declaration of Alicia
- 3 M. Gray, filed in the Walla Walla County Superior Court, Case No. 21-2-
- 4 00411-36.
- 5
- 6 27. Attached as Exhibit 26 is a true and correct copy of The Declaration of Amy
- 7 King, filed in the Walla Walla County Superior Court, Case No. 21-2-00411-
- 8 36.
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- 10 28. Attached as Exhibit 27 is a true and correct copy of The Declaration of
- 11 Cynthia Oster, filed in the Walla Walla County Superior Court, Case No. 21-
- 12 2-00411-36.
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- 14 29. Attached as Exhibit 28 is a true and correct copy of The Declaration of Jason
- 15 Postlewait, filed in the Walla Walla County Superior Court, Case No. 21-2-
- 16 00411-36.
- 17
- 18 30. Attached as Exhibit 29 is a true and correct copy of The Declaration of Mark
- 19 Klicker, filed in the Walla Walla County Superior Court, Case No. 21-2-
- 20 00411-36.
- 21
- 22 31. Attached as Exhibit 30 is a true and correct copy of The Declaration of Perry
- 23 Dozier, filed in the Walla Walla County Superior Court, Case No. 21-2-00411-
- 24 36.
- 25 32. Attached as Exhibit 31 is a true and correct copy of The Declaration of Skyler

- 1 Rude, filed in the Walla Walla County Superior Court, Case No. 21-2-00411-  
2 36.
- 3 33. Attached as Exhibit 32 is a true and correct copy of The Declaration of Nathan  
4 J. Arnold, filed in the Walla Walla County Superior Court, Case No. 21-2-  
5 00411-36.  
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- 7 34. Attached as Exhibit 33 is a true and correct copy of The Declaration of Kristi  
8 McKethen filed in the Thurston County Superior Court, Case No. 21-2-01674-  
9 34.  
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- 11 35. Attached as Exhibit 34 is a true and correct copy of The Declaration of Louisa  
12 Rogers, filed in the Thurston County Superior Court, Case No. 21-2-01674-  
13 34.  
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- 15 36. Attached as Exhibit 35 is a true and correct copy of The Declaration of  
16 Zachary Pilz, filed in the Thurston County Superior Court, Case No. 21-2-  
17 01674-34.  
18
- 19 37. Attached as Exhibit 36 is a true and correct copy of The Declaration of Neil  
20 Konitshek, filed in the Thurston County Superior Court, Case No. 21-2-01674-  
21 34.  
22
- 23 38. Attached as Exhibit 37 is a true and correct copy of The Declaration of Nathan  
24 J. Arnold in Support of Plaintiffs' Motion for Contempt of Court, filed in the  
25 Thurston County Superior Court, Case No. 21-2-01674-34.

1 39. Attached as Exhibit 38 is a true and correct copy of The Declaration of Brenda  
2 Contine, filed in the Thurston County Superior Court, Case No. 21-2-01674-  
3 34.

4 40. Attached as Exhibit 39 is a true and correct copy of The Declaration of  
5 Kamberly Warner, filed in the Thurston County Superior Court, Case No. 21-  
6 2-01674-34.

7 41. Attached as Exhibit 40 is a true and correct copy of The Declaration of Zana  
8 Carver, filed in the Thurston County Superior Court, Case No. 21-2-01674-34.

9 42. Attached as Exhibit 41 is a true and correct copy of Proclamation by the  
10 Governor Amending Proclamations 20-05 and 20-14, 21-14.1 COVID-19  
11 Vaccination Requirement.

12 43. Attached as Exhibit 42 is a true and correct copy of Jessica Berg Wilson's  
13 obituary.

14 44. Attached as Exhibit 43 is a true and correct copy of U.S. Equal Employment  
15 Opportunity Commission's "What You Should Know About COVID-19 and  
16 the ADA, the Rehabilitation Act, and EEO Laws".

17 45. Attached as Exhibit 44 is a true and correct copy of email correspondence re:  
18 Accommodation Update.

19 46. Attached as Exhibit 45 is a true and correct copy of Emergency Application  
20 for Writ of Injunction.



1 47. Attached as Exhibit 46 is a true and correct copy of email correspondence re:  
2 FAQ.

3 48. Attached as Exhibit 47 is a true and correct copy of email correspondence re:  
4 New mandatory vaccine proclamation.  
5

6 49. Attached as Exhibit 48 is a true and correct copy of email correspondence re:  
7 religious exemption.

8 50. Attached as Exhibit 49 is a true and correct copy of email correspondence re:  
9 Checking in.  
10

11 51. Attached as Exhibit 50 is a true and correct copy of Washington State  
12 Department of Health's COVID-19 Vaccination Coverage by Race and  
13 Ethnicity and the Age in Washington State data, dated February 10, 2021.  
14

15 52. Attached as Exhibit 51 is a true and correct copy of Washington State  
16 Department of Health's COVID-19 Vaccination Coverage by Race and  
17 Ethnicity and the Age in Washington State data, dated April 23, 2021.  
18

19 53. Attached as Exhibit 52 is a true and correct copy of State of Washington  
20 House of Representatives' COVID-19 2021 Interim Operations Plan updated  
21 September 2021.  
22

23 54. Attached as Exhibit 53 is a true and correct copy of email correspondence re:  
24 Proclamation update...for review.

25 55. Attached as Exhibit 54 is a true and correct copy of email correspondence re:

1 New mandatory vaccine proclamation.

2 56. Attached as Exhibit 55 is a true and correct copy of State of Washington  
3 Department of Social and Health Services' Religious Exemption Additional  
4 Information Form 2.

5  
6 57. Attached as Exhibit 56 is a true and correct copy of Office of the Governor's  
7 Executive Order 16-07 "Building a Modern Work Environment".

8  
9 58. Attached as Exhibit 57 is a true and correct copy of email correspondence re:  
10 reasonable accommodation reassignment form.

11 59. Attached as Exhibit 58 is a true and correct copy of email correspondence re:  
12 Religious Accommodation Request.

13  
14 60. Attached as Exhibit 59 is a true and correct copy of Office of the Governor's  
15 Executive Order 14-02 "Expanding Telework and Flexible Working Hours  
16 Programs to Help Reduce Traffic Congestion and Improve Quality of Life".

17  
18 61. Attached as Exhibit 60 is a true and correct copy of Proclamation by the  
19 Governor Amending Proclamations 20-05 and 20-46, et seq. 20-46.3 High-  
20 Risk Employees – Workers' Rights.

21  
22 62. Attached as Exhibit 61 is a true and correct copy of Washington State Health  
23 Care Authority's Religious Exemption Questionnaire.

24 63. Attached as Exhibit 62 is a true and correct copy of KCFCA meeting minutes  
25 re Vaccination and Accommodations discussion.

1 64. Attached as Exhibit 63 is a true and correct copy of DSHS's Returning to the  
2 Office & Required Training.

3 65. Attached as Exhibit 64 is a true and correct copy of State of Washington  
4 Health Care Authority's correspondence re: COVID-19 Vaccine Mandate  
5 Accommodation  
6

7 66. Attached as Exhibit 65 is a true and correct copy of The Declaration of Teresa  
8 Fox, filed in the United States District Court for the Western District of  
9 Washington, Case No. 3:21-cv-05735.  
10

11 67. Attached as Exhibit 66 is a true and correct copy of The Declaration of Kara  
12 Coalman, filed in the United States District Court for the Western District of  
13 Washington, Case No. 3:21-cv-05735.  
14

15 68. Attached as Exhibit 67 is a true and correct copy of The Declaration of Blaine  
16 Schiess, filed in the United States District Court for the Western District of  
17 Washington, Case No. 3:21-cv-05735.  
18

19 69. Attached as Exhibit 68 is a true and correct copy of The Declaration of Sheila  
20 Hollingsworth, filed in the United States District Court for the Western District  
21 of Washington, Case No. 3:21-cv-05735.  
22

23 70. Attached as Exhibit 69 is a true and correct copy of The Declaration of  
24 Jennifer Templeton, filed in the United States District Court for the Western  
25 District of Washington, Case No. 3:21-cv-05735.

1 71. Attached as Exhibit 70 is a true and correct copy of The Declaration of  
2 Michael Faulk, filed in the United States District Court for the Western District  
3 of Washington, Case No. 3:21-cv-05735.

4 72. Attached as Exhibit 71 is a true and correct copy of The Declaration of  
5 William Cleary, filed in the United States District Court for the Western  
6 District of Washington, Case No. 3:21-cv-05735.

7 73. Attached as Exhibit 72 is a true and correct copy of The Declaration of Jamal  
8 George, filed in the United States District Court for the Western District of  
9 Washington, Case No. 3:21-cv-05735.

10 74. Attached as Exhibit 73 is a true and correct copy of The Declaration of Juan  
11 Lopez, filed in the United States District Court for the Western District of  
12 Washington, Case No. 3:21-cv-05735.

13 75. Attached as Exhibit 74 is a true and correct copy of The Declaration of Venus  
14 Bailey, filed in the United States District Court for the Western District of  
15 Washington, Case No. 3:21-cv-05735.

16 76. Attached as Exhibit 75 is a true and correct copy of The Declaration of Dr.  
17 Zana Carver, filed in the United States District Court for the Western District  
18 of Washington, Case No. 3:21-cv-05735.

19 77. Attached as Exhibit 76 is a true and correct copy of The Declaration of Jessie  
20 Howard, filed in the United States District Court for the Western District of  
21 Washington, Case No. 3:21-cv-05735.

1 Washington, Case No. 3:21-cv-05735.

2 78. Attached as Exhibit 77 is a true and correct copy of The Declaration of Taylor  
3 Schrodtt, filed in the United States District Court for the Western District of  
4 Washington, Case No. 3:21-cv-05735.  
5

6 79. Attached as Exhibit 77 is a true and correct copy of the Declaration of Valerie  
7 Santos.  
8

9 80. Attached as Exhibit 78 is a true and correct copy of the Declaration of Rumina  
10 Killeen.  
11

12 81. Attached as Exhibit 79 is a true and correct copy of the Declaration of Dr.  
13 Robert Malone  
14

15 82. Attached as Exhibit 80 is a true and correct copy of Dr. Wie Lin.  
16

17 83. Attached as Exhibit 81 is a true and correct copy of the Declaration of Dr.  
18 Peter McCullough.  
19

20 84. Attached as Exhibit 82 is a true and correct copy of the Supplemental  
21 Declaration of Dr. Zana Carver.  
22

23 85. Attached as Exhibit 83 is a true and correct copy of the declaration of Loretta  
24 Taylor.  
25

86. Attached as Exhibit 84 is a true and correct copy of the Declaration of Dr.  
Michael Jackson.

87. Attached as Exhibit 85 is a true and correct copy of the Declaration of Dr.

1 Luxton.

2 88. Exhibit 86 is omitted.

3 89. Attached as Exhibit 87 is a true and correct copy of the Declaration of  
4 Matthew Lovelass.

5 90. Attached as Exhibit 88 is a true and correct copy of the Declaration of Barnes.

6 91. Attached as Exhibit 89 is a true and correct copy of the Declaration of  
7 Spokane Firefighter McCann.

8 92. Attached as Exhibit 90 is a true and correct copy of the Declaration of  
9 Spokane Firefighter Brose.

10 93. Attached as Exhibit 91 is a true and correct copy of the Declaration of  
11 Spokane Firefighter Howie.

12 94. Attached as Exhibit 92 is a true and correct copy of the Declaration of  
13 Spokane Firefighter Fuller.

14 95. Attached as Exhibit 93 is a true and correct copy of the Declaration of  
15 Spokane Firefighter Baxter.

16 96. Exhibit 94 is omitted.

17 97. Attached as Exhibit 95 is omitted.

18 98. Attached as Exhibit 96 is a true and correct copy of the Declaration of  
19 Spokane Firefighter Norton.

20 99. Attached as Exhibit 97 is a true and correct copy of the Declaration of

- 1 Spokane Firefighter Barker.
- 2 100. Attached as Exhibit 98 is a true and correct copy of the Declaration of
- 3 Spokane Firefighter Thorman.
- 4 101. Attached as Exhibit 99 is a true and correct copy of the Declaration of
- 5 Spokane Firefighter Townsend.
- 6 102. Exhibit 100 is omitted.
- 7 103. Attached as Exhibit 101 is a true and correct copy of the Declaration of
- 8 Spokane Firefighter Kernkamp.
- 9 104. Attached as Exhibit 102 is a true and correct copy of the Declaration of
- 10 Spokane Firefighter Wilcox.
- 11 105. Attached as Exhibit 103 is true and correct copy of a letter to the WSF.
- 12 106. Attached as Exhibit 104 is a true and correct copy of letter from Spokane
- 13 Valley Fire.
- 14 107. Attached as Exhibit 104 is a true and correct copy of letter from Snohomish
- 15 County Fire.
- 16 108. Attached as Exhibit 105 is a true and correct copy of DOC's Safe State
- 17 Washington Plan.
- 18 109. Attached as Exhibit 106 is a true and correct copy of King County COVID
- 19 exposure guidelines.
- 20 110. Attached as Exhibit 107 is a true and correct copy of the Vaccination
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Accommodation Matrix.

EXECUTED this 14th day of October 2021 at Edmonds, WA

/s/Nathan J. Arnold  
Nathan J. Arnold, WSBA No. 45356